

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

JOSEPH A. DANIELS,

Plaintiff,

v.

Civil Action No. 3:25CV333 (RCY)

UNKNOWN,

Defendant.

MEMORANDUM OPINION

Plaintiff, a Virginia inmate, submitted this action. Plaintiff has requested leave to proceed *in forma pauperis*. The pertinent statute provides:

In no event shall a prisoner bring a civil action [*in forma pauperis*] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

28 U.S.C. § 1915(g). Plaintiff has at least three other actions or appeals that have been dismissed as frivolous or for failure to state a claim. *See, e.g., Daniels v. Caldwell*, No. 3:14CV856, 2015 WL 7283121, at *2 (E.D. Va. Nov. 16, 2015); *Daniels v. Jarratt*, No. 3:13CV440, 2014 WL 12654876, at *1 (E.D. Va. July 22, 2014); *Daniels v. Caldwell*, No. 3:11CV461, 2013 WL 6713129, at *4 (E.D. Va. Dec. 18, 2013). Plaintiff's current complaint does not credibly suggest that he is in imminent danger of serious physical harm.

Accordingly, his request to proceed *in forma pauperis* will be DENIED. The action will be DISMISSED WITHOUT PREJUDICE. Plaintiff remains free to submit a new complaint with the full \$405 filing fee. The Court will process such a complaint as a new civil action.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: June 24, 2025
Richmond, Virginia

/s/ 
Roderick C. Young
United States District Judge